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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,409	08/23/2006	Noel Alfred Warner		8956

7590 12/08/2009  
Noel A Warner  
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UNITED KINGDOM

EXAMINER
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VELASQUEZ, VANESSA T

ART UNIT	PAPER NUMBER
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1793

MAIL DATE	DELIVERY MODE
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12/08/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/590,409

Examiner

Vanessa Velasquez

Applicant(s)

WARNER, NOEL ALFRED

Art Unit

1793

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 10 August 2009 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Vanessa Velasquez/  
Examiner, Art Unit 1793

/Scott Kastler/  
Primary Examiner, Art Unit 1793

Continuation of 4(e) Other: The claims received on August 10, 2009 do not comply with 37 CFR 1.121 for the following reasons:

(1) As indicated in Box #4A, a complete list of claims is not present. There are twelve (12) original claims filed on August 23, 2006. However, there are only five (5) claims filed in the amendment received on August 10, 2009. Each and every original claim must be accounted for in all amendments.

(2) In addition to including a complete list of claims in an amendment, the status of the claims must be indicated. Acceptable status identifiers are listed above in the description following Box #4C.

(3) Any changes made to a claim must be indicated by markings per 37 CFR 1.121(c)(2).

Applicant is strongly encouraged to follow the guidelines set forth in the Manual of Patent Examining Procedure (MPEP). Chapter 700, section 714, and 37 CFR 1.121 provide details on what constitutes a proper amendment. The MPEP is accessible on the Internet at the following URL: <http://www.uspto.gov/web/offices/pac/mpep/index.htm>.